

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Board of Commissioners Meeting

9:00 a.m., Friday, May 18, 2018

The Hyatt Regency Miami

400 SE Second Avenue

Miami, Miami-Dade County, Florida 33131-2143

ITEM 1. Call to Order.

Chair Netts called the meeting to order at 9:02 a.m.

ITEM 2. Pledge of Allegiance.

Chair Netts led the Pledge of Allegiance to the Flag of the United States of America.

ITEM 3. Roll Call.

Assistant Executive Director Janet Zimmerman called the roll and Chair Netts, Vice-Chair Donaldson, Commissioners, Crowley, Cuzzo, McCabe, O'Steen, Sansom and Williams were present. Treasurer Blow, Secretary Gernert and Commissioner Isiminger were absent. Ms. Zimmerman stated that a quorum was present.

ITEM 4. Consent Agenda.

Chair Netts asked if there were any comments or questions regarding the Consent Agenda. There were none.

Commissioner Williams made a motion to approve the Consent Agenda as presented. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 5. Additions or Deletions.

Chair Netts asked if there were any additions or deletions to the meeting agenda.

Mr. Crosley stated that he would like to add to the agenda: Item 19A, The City of Ormond Beach Small-Scale Derelict Vessel Removal Program Application, Ormond Beach, Volusia County, Florida and; Item 19-B, Waterway Cleanup Assistance to the Marine Industries Association of the Treasure Coast for the Annual Treasure Coast Waterway Cleanup Project in Martin, St. Lucie and Indian River Counties.

Mr. Crosley noted that information pertaining to Item 11, Bid Approval for Construction of Dredged Material Management Area M-8, St. Lucie County, Florida has been distributed to commissioners and staff.

Commissioner Williams made a motion to approve the final agenda as amended. The motion was seconded by Vice-Chair Donaldson. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 6. Public Comments.

Chair Netts asked if there were any public comments on issues that are not on today's agenda.

Mr. Bruce Matheson stated that he would like to object to the City of Miami's Spring Garden Park Seawall & Kayak project as it is currently designed. The kayak launch needs to be moved to a 60-foot lot in Point Park, which would allow people to safely get in and out of their kayak and access the Miami River.

Ms. Tamme Flood referenced the City of Miami's Spring Garden Park Seawall & Kayak project. She stated that the bulkhead seawall as currently designed is not high enough to account for sea level rise. She also noted that the kayak launch should be moved to land abutting Point Park to the north, which would be a safer location to launch into the Miami River. The current proposed kayak launch location launches directly into the shipping channel of a narrow bend in the Miami River that meets the Seybold Canal.

Ms. Rebecca Long stated that she is opposed to the City of Miami's Spring Garden Park Seawall & Kayak project. She would like to preserve the current historic 100-year-old pyramid seawall. The seawall is not collapsing into the canal. The only repair required to this seawall is the cap. The city should get an independent engineering report on this seawall before moving forward with this project.

ITEM 7. Board Meeting Minutes.

Chair Netts asked if there were any comments or questions regarding the April 20, 2018 Finance and Board Meeting minutes. There were none.

Commissioner Sansom made a motion to approve the April 20, 2018 Finance and Board Meeting minutes as presented. The motion was seconded by Commissioner Crowley. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 8. Draft Financial Audit for FY 2016-2017.

Mr. Crosley introduced Mr. David McGuire, with Berger, Toombs, Elan, Gaines and Frank, CPA, PL, who presented the District's FY 2016-2017 Draft Financial Audit this morning at the Finance and Budget Committee Meeting.

Mr. McGuire reviewed the Financial Audit report. He stated that he has been reminding all his government clients that when using government travel, the most economic means of travel must be used. He gave several examples of economic travel. He asked for questions. There were none.

Vice-Chair Donaldson thanked the District staff for another fine Financial Audit report.

Commissioner Sansom made a motion to approve acceptance of the Draft Financial Audit for FY 2016-2017. The motion was seconded by Commissioner Williams. Chair Netts asked for any additional discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 9. Finance and Budget Committee Report.

Committee Chair McCabe made a motion to approve the recommendations of the District's Finance and Budget Committee March 2018 financial statements, the delegation of authority, and the expenditure and project status report. The motion was seconded by Commissioner Williams. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 10. Staff Report on Miami-Dade County Area Projects.

Mr. Crosley presented the staff report on Miami-Dade County and stated that Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway (IWW) in Miami-Dade County was completed in 2003. Phase II of the DMMP was completed in 2005 and all major land acquisition was completed by 2007.

Mr. Crosley stated that maintenance dredging of IWW Reach II in the vicinity of Baker's Haulover Inlet was completed in 2011, in April of 2014 and again in January of 2018. For the 2018 project, the U.S. Army Corps of Engineers (USACE) utilized \$1.59 million in funding to dredge approximately 37,300 cubic yards of material from the IWW and place the beach-compatible material south of the inlet on the down-drift beach. This is one of the Districts highest frequency dredging areas. The District has been in communication with the city about potential inlet improvements. He commented that the project could qualify for the funding from the District's Assistance Program.

Mr. Crosley stated that the Miami-Dade County Waterways Economic Study was updated in 2018. This study shows the large the economic impact of the District's waterways provides to Miami-Dade County.

Commissioner Crowley stated that the Bal Harbor dredging project was recently completed, and residents complained about the location and placement of the sand. He suggested that when doing beach placement, all project partners become more cognizant of potential issues regarding the sand placement. He noted that Bal Harbor is working on an Inlet Management Plan and a sand by-pass station for this inlet.

Commissioner Crowley stated that there is a restoration initiative for Biscayne Bay that will be modeled after Palm Beach County's successful Lake Worth Lagoon restoration.

Commissioner Cuzzo referenced the Economic Impact Study and requested that meters be changed to feet or miles.

ITEM 11. Bid Approval for Construction of Dredged Material Management Area M-8, St. Lucie County, Florida.

Mr. Crosley stated that on May 15, 2018, the District received four (4) bid packages for the construction of Dredged Material Management Area (DMMA) M-8 in St. Lucie County. Based on the review by Taylor Engineering, the two (2) low qualified bids are Brance Diversified, Inc. and Ferreira Construction. He stated that he would like to request approval of both low bidders. If negotiations do not work out with Brance Diversified, Inc., staff will work with Ferreira Construction.

Commissioner Williams made a motion to approve the apparent two (2) low qualified bids in the amount of \$ 1,643,200.00 from Brance Diversified, Inc. and \$1,899,900.25 from Ferreira Construction for the construction of DMMA M-8, St. Lucie County, Florida. The motion was seconded by Commissioner O'Steen. Chair Netts asked for discussion.

Commissioner Williams amended the motion to include that staff, with the approval of Attorney Breton, upon disqualification of the terms of the agreement of the first low bidder, can negotiate with the second low bidder. The amended motion was seconded by Commissioner O'Steen. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 12. Scope of Services and Fee Proposal for Construction Administration Services, Dredged Material Management Area M-8, St. Lucie County, Florida.

Mr. Crosley stated that Taylor Engineering has completed the design, engineering and permitting for the construction of Dredged Material Management Area (DMMA) M-8 in southern St. Lucie County. Taylor Engineering has offered a proposal and fee quote to provide necessary construction administration services for this project. The project construction duration is expected to be approximately fourteen (14) months.

Vice-Chair Donaldson made a motion to approve a scope and fee quote from Taylor Engineering in the amount of \$174,185.46 for construction administration services for DMMA M-8, St. Lucie County, Florida. The motion was seconded by Commissioner Williams. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 13. Lease of Material Storage Area 617-C, Palm Beach County, Florida.

Mr. Crosley stated that Palm Beach County has requested the use of Material Storage Area (MSA) 617-C, located on the Intracoastal Waterway in north-central Palm Beach County, to move materials for the completion of the Tarpon Cove Natural Area.

Vice-Chair Donaldson made a motion to approve a three-month lease agreement with Vance Construction Company for the temporary use of MSA 617-C, Palm Beach County, Florida. The motion was seconded by Commissioner Williams. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

Mr. Crosley stated that the Palm Beach County Solid Waste Authority has contacted the District about using MSA 617-C as a hurricane debris temporary storage site. He may bring an agreement to the Board for future approval.

Dr. Taylor stated that this site is the only site for maintenance of this area of the waterway. When the site was purchased, because of the location and neighborhood, the District was required to landscape and plant a buffer around the site. He cautioned the Board to look at use of this site very carefully so that it does not limit the District's ability to maintain the waterway.

ITEM 14. Scope of Services and Fee Proposal for the Design, Bidding and Construction Administration of Shoreline Stabilization at Dredged Material Management Area SJ-1, St. Johns County, Florida.

Mr. Crosley stated that in March of 2018, the Board approved a scope & fee quote in the amount of \$78,869.75 (including \$1,200.00 in sub-consultant fees) from Taylor Engineering to provide the design and permitting for shoreline stabilization at Dredged Material Management

Area (DMMA) DU-2 in Duval County. When DMMA SJ-1 was recently evaluated for storm damage and contractor activity, it was apparent that the shoreline of this waterfront facility is also experiencing significant erosion. Staff requested a scope and fee quote to include this shoreline with the previous effort, with the potential for costs savings by combining the two projects.

Commissioner Williams made a motion to approve a scope of work and cost-plus maximum fee quote in the total amount \$129,444.23 (including \$6,500.00 in sub-consultant fees) for the design, permitting, bidding and construction oversight of shoreline stabilization at DMMA SJ-1, St. Johns County, Florida. The motion was seconded by Vice-Chair Donaldson. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 15. **Scope of Services and Fee Quote, Dredged Material Management Area O-23 Environmental Resource Permit Modification, Martin County, Florida.**

Mr. Crosley stated that the U.S. Army Corps of Engineers (USACE) has begun work on the plans & specifications for Dredged Material Management Area (DMMA) O-23 in Martin County. The site has an existing stormwater management system that was constructed by the previous owner in anticipation of a planned industrial park expansion. It will be necessary to modify the existing Environmental Resource Permit to remove the existing infrastructure and work with the neighboring development to redirect their stormwater back on to their own property.

Mr. Crosley stated that Taylor Engineering has provided a scope and fee quote to revise the permit and provide modeling and design necessary to remove the existing stormwater system.

Vice-Chair Donaldson made a motion to approve the scope and fee quote in the amount of \$36,419.24 for modification of the Environmental Resource Permit for DMMA O-23, Martin County, Florida. The motion was seconded by Commissioner Williams. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 16. **Scope of Services and Fee Proposal for a Programmatic Spoil Site Rejuvenation Plan for Intracoastal Waterway Dredged Material Management Areas.**

Mr. Crosley stated that Section 253.03(10)(d) Florida Statutes pertains to the management and disposal of state sovereign submerged lands. To summarize, all material dredged from the natural areas of the District's waterways are subject to this provision requiring that the material must be offered for bid and the funds collected remitted to the State, unless the Board of Trustees of the Internal Improvement Trust Fund have previously approved a spoil rejuvenation plan.

Mr. Crosley stated that there is no provision in the rule to allow the District to recoup any of the millions of dollars invested (through site acquisition, construction, maintenance, operations etc.) in a Dredged Material Management Area (DMMA). The development and adoption of this plan could be the basis for the District to begin actively managing dredged material within DMMA's and reduce the cost of long-term operations. Priority would still be applied to the beneficial use of dredged material, particularly for public projects, this plan would add an additional tool to manage material and long-range costs by working with the private sector when viable.

Commissioner Sansom made a motion to approve the scope of work and lump sum fee quote in the amount of \$84,940.80 for the development of a Programmatic Spoil Site Rejuvenation Plan for Intracoastal Waterway Dredged Material Management Areas within the District, Florida. The motion was seconded by Commissioner Crowley. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 17. **Nomination of Officers.**

Commissioner Sansom stated that recommendations for 2018-2019 District Officers are; Vice-Chair Donaldson as Chair, Treasurer Blow as Vice-Chair, Commissioner O'Steen as Treasurer, and Secretary Gernert as Secretary, for the period of June 2018 through May of 2019.

Chair Netts asked if there were any other commissioners who would like to be considered as a District Officer. There were none.

Commissioner Sansom made a motion to approve; Vice-Chair Donaldson as Chair Treasurer Blow as Vice-Chair, Commissioner O'Steen as Treasurer, and Commissioner Gernert as Secretary for the period of June 2018 through May of 2019. The motion was seconded by Commissioner Cuozzo. Chair Netts asked for any additional discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 18. **Washington D.C. Report.**

Mr. Crosley stated that Representatives Daniel Webster and Lois Frankel are both working to include the District's mitigation language in the Water Resources Development Act (WRDA). Congressional support to include the language in WRDA will depend on the Water Resources Democratic staff to allow, or at least not object, to the District's language.

Mr. Crosley stated that the 2018 U.S. Corps of Engineers (USACE) Work Plan budget includes \$2.224 million for the Atlantic Intracoastal Waterway (AIWW) and \$3.560 million for the Intracoastal Waterway (IWW). The full report is included in the District's agenda at AICW.org.

ITEM 19A. The City of Ormond Beach Small-Scale Derelict Vessel Removal Program Application, Ormond Beach, Volusia County, Florida.

Ms. Zimmerman stated that at April Board Meeting, the Board approved a derelict removal request for the removal of one (1) derelict vessel located in the District's waterways within the City of Ormond Beach in Volusia County. Shortly after the contractor started the project it was discovered that part of the vessel was buried and turned upside down. The total project cost went up and is estimated to be \$20,000.00. The city would like to withdraw their previous grant approval and request approval of this new request.

Commissioner McCabe made a motion to approve the City of Ormond Beach's request for up to \$10,000.00 cost-share through the District's Small-Scale Derelict Vessel Removal Projects program. The motion was seconded by Commissioner Cuzzo. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 19B. Waterway Cleanup Assistance to the Marine Industries Association of the Treasure Coast for the Annual Treasure Coast Waterway Cleanup Project in Martin, St. Lucie and Indian River Counties.

Ms. Zimmerman stated that the Marine Industries Association of the Treasure Coast has submitted requests for Annual Waterway Cleanup Projects in Martin, St. Lucie and Indian River Counties. The District has funded these cleanups for the last seven (7) years and it has been very successful. The request is for \$5,000 per county.

Vice-Chair Donaldson made a motion to approve the request from the Marine Industries Association of the Treasure Coast for assistance with the Waterway Cleanup Project in Martin, St. Lucie and Indian River Counties in an amount not to exceed \$5,000 per county. The motion was seconded by Commissioner Williams. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 19. Additional Staff Comments and Additional Agenda Items.

Mr. Crosley stated that staff will be working with the Chair to determine Committee Assignments. If a commissioner has a request or comment regarding the Committee Assignments, to please contact him.

Mr. Crosley noted that the June Board meeting will be a two (2) day grant presentation meeting and will be held in Brevard County.

Mr. Crosley stated that the July Board meeting will probably be cancelled.

Mr. Crosley thanked the District's Finance Director, Glenn Scambler for an excellent Audit Report.

ITEM 20. Additional Commissioner Comments.

Commissioner Cuozzo thanked Commissioner Crowley for last evening's unique Community Outreach event.

Commissioner Crowley stated that Florida has a lot of development occurring and it is important to provide public access to the waterways.

Mr. Crosley thanked Chair Netts for his service as Chair for the last year.

ITEM 20. Adjournment.

Chair Netts stated that hearing no further business, the meeting was adjourned at 10:34 a.m.